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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

United States of America,  
  
Plaintiff,

v.

Michael Lacey, et al.,  
  
Defendants.

No. CR-18-422-PHX-SMB

**UNITED STATES' UNOPPOSED  
MOTION TO EXTEND DEADLINE  
FOR RESPONSE TO DEFENDANTS'  
MOTION TO DISMISS  
INDICTMENT (Doc. 561)**

(Third Request)

On May 23, 2019, the government received an email from attorney Jessica Ring Amunson, who informed the government that she represents the DKT Liberty Project, the Cato Institute and the Reason Foundation. She copied attorney Dan Barr, who represents ACLU of Arizona. The email requested the government's consent for their respective

1 clients to file motions for leave to file amici briefs in support of Defendants' Motion to  
2 Dismiss Indictment (Doc. 561). The government indicated it does not oppose their request.  
3 Ms. Amunson represented that the proposed amici would file their motions for leave on  
4 May 28, 2019, that ACLU of Arizona expects its brief to be approximately five to ten  
5 pages, and that the DKT Liberty Project, the Cato Institute and the Reason Foundation  
6 expect their brief to be no longer than 17 pages.

7         Given the proposed amici's intent to submit two additional briefs in support of  
8 Defendants' Motion to Dismiss, and to allow the government adequate time to incorporate  
9 any response to the amici briefs into its response to the Motion to Dismiss, the government  
10 files this unopposed motion requesting an additional two-week extension to file its  
11 response. Currently, the government's response to the Motion to Dismiss is due on May  
12 29, 2019. The additional two weeks will make the new deadline June 12, 2019. Defendants  
13 do not oppose this request, and the government will not oppose a corresponding extension  
14 for Defendants' reply.

15         In addition, because the government has not yet reviewed the amici briefs, it does  
16 not know if it will require additional pages to respond to the two briefs. Accordingly, the  
17 government may move for leave to file a response that is longer than 45 pages, if necessary,  
18 but will do so only after it reviews the amici filings.

19         Excludable delay under 18 U.S.C. § 3161(h) may occur as a result of this motion or  
20 an order based thereon.

21         Respectfully submitted this 24th day of May, 2019.

22                                 MICHAEL BAILEY  
23                                 United States Attorney  
24                                 District of Arizona

25                                 s/ Andrew C. Stone  
26                                 KEVIN M. RAPP  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this date, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF system for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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s/ Angela Schuetta  
Angela Schuetta  
U.S. Attorney's Office

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7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE DISTRICT OF ARIZONA

10 United States of America,

No. CR-18-422-PHX-SMB

11 Plaintiff,

**ORDER**

12 v.

13 Michael Lacey, et al.,

14 Defendants.  
15

16 Based on the government's Unopposed Motion to Extend Time to File Response to  
17 Defendants' Motion to Dismiss Indictment (Third Request), and good cause appearing,

18 **IT IS HEREBY ORDERED** granting the motion and extending the deadline for  
19 the United States to respond to Defendants' Motion to Dismiss Indictment (doc. 561) from  
20 May 29, 2019 to June 12, 2019.

21 **IT IS FURTHER ORDERED** that excludable delay under 18 U.S.C. § 3161(h) is  
22 found to commence from \_\_\_\_\_ through \_\_\_\_\_.

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